

# UNITED STATES BANKRUPTCY COURT

Eastern District of Michigan (Detroit)

In re Mark Alan Hatt and Julie Ann Hatt  
Debtor

Case No. 10-63525

Chapter 13

## Notice of Mortgage Payment Change

If you file a claim secured by a security interest in the debtor's principal residence provided for under the debtor's plan pursuant to § 1322(b)(5), you must use this form to give notice of any changes in the installment payment amount. File this form as a supplement to your proof of claim at least 21 days before the new payment amount is due. See Bankruptcy Rule 3002.1.

**Name of creditor:** BAC Home Loans Servicing, L.P.

**Court claim no.** (if known): 3

**Last four digits** of any number you  
use to identify the debtor's account: 2584

**Date of payment change:**

Must be at least 21 days after date of this notice

10/01/2012

**New total payment:**

Principal, interest, and escrow, if any

\$2,087.36

### Part 1: Escrow Account Payment Adjustment

**Will there be a change in the debtor's escrow account payment?**

☐ No

☒ Yes. Attach a copy of the escrow account statement prepared in a form consistent with applicable nonbankruptcy law. Describe the basis for the change. If a statement is not attached, explain why:

\_\_\_\_\_

Current escrow payment: \$0.01

New escrow payment: \$1,026.70

### Part 2: Mortgage Payment Adjustment

**Will the debtor's principal and interest payment change based on an adjustment to the interest rate in the debtor's variable-rate note?**

☒ No

☐ Yes. Attach a copy of the rate change notice prepared in a form consistent with applicable nonbankruptcy law. If a notice is not attached, explain why:

\_\_\_\_\_

Current interest rate: \_\_\_\_\_

New interest rate: \_\_\_\_\_

Current principal and interest payment: \_\_\_\_\_

New principal and interest payment: \_\_\_\_\_

### Part 3: Other Payment Change

**Will there be a change in the debtor's mortgage payment for a reason not listed above?**

☒ No

☐ Yes. Attach a copy of any documents describing the basis for the change, such as a repayment plan or loan modification agreement. (Court approval may be required before the payment change can take effect.)

Reason for change: \_\_\_\_\_

Current mortgage payment:  
10-63525-swr Doc 87

New mortgage payment:

Filed 09/05/12 Entered 09/05/12 09:58:30 Page 1 of 11

**Part 4: Sign Here**

The person completing this Notice must sign it. Sign and print your name and your title, if any, and state your address and telephone number if different from the notice address listed on the proof of claim to which this Supplement applies.

Check the appropriate box:

☒ I am the creditor.      ☐ I am the creditor's authorized agent.  
(Attach a copy of power of attorney, if any.)

I declare under penalty of perjury that the information provided in this Notice is true and correct to the best of my knowledge, information, and reasonable belief.

 /s/ Rhonda Smith  
Assistant Vice President (Approved by: Shauntell Rogers)

Date 09/05/2012

Print: Rhonda Smith

Title Assistant Vice President (Approved by: Shaun

Company Bank of America, N.A.  
Address 2380 Performance Dr.  
Richardson, TX 75082

Specific Contact Information:  
Phone: 214-209-8450  
Email: rlsmith@bankofamerica.com

## CERTIFICATE OF SERVICE

I hereby certify that on September 05, 2012, I have served a copy of this Notice and all attachments to the following by U.S. Mail, postage pre paid and via filing with the US Bankruptcy Court's CM ECF system.

Debtor:

Mark Alan Hatt  
1554 Mill Street  
Lincoln Park, MI 48146

Julie Ann Hatt  
1554 Mill Street  
Lincoln Park, MI 48146

Debtor's Attorney:

Jesse R. Sweeney  
30555 Southfield  
Suite 400  
Southfield, MI 48076

Jesse R. Sweeney  
30555 Southfield  
Suite 400  
Southfield, MI 48076

Trustee:

Krispen S. Carroll  
719 Griswold  
1100 Dime Building  
Detroit, MI 48226

/s/ Bill Taylor

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Authorized Agent

193761-e045da1b-ba62-445f-bab3-d2942886c696



0000948 001N 0.000 2081  
MSO T1 AG 074-----0--2-ST C0000077 IN P00948  
KRISPEN S. CARROLL  
719 GRISWOLD 1100 DIME BUILDING  
DETROIT MI 48226



Pursuant to an Agreement with the Federal Trade Commission, Bank of America, N.A. is required to provide Chapter 13 trustees with a written informational notice on a monthly basis.

Please find enclosed a copy of this month's informational notice for the following:  
Mark A Hatt



MARK A HATT  
1554 Mill St  
Lincoln Park MI 48146-2359

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#### IMPORTANT MESSAGE ABOUT YOUR LOAN

Enclosed is an escrow analysis for your loan. The purpose of this notification is to advise you that the escrow portion of your payment is changing to \$1,026.70 effective October 01, 2012.

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#### WHAT THIS MEANS

This notification is for informational purposes only. Your next statement will arrive shortly. It will provide a payment coupon and will include the new escrow payment amount of \$1,026.70.

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#### ADDITIONAL INFORMATION

Principal Balance	\$34,935.54
Partial Payment Balance (unapplied funds)	\$3,757.60
Home loan payment due 09/01/2012	\$1,060.67

This informational notice is being sent to the following borrowers at address set forth above in reference to the Chapter 13 Bankruptcy filing: MARK A HATT

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#### WHAT YOU NEED TO DO

Please keep this notification for your records.

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#### THANK YOU FOR YOUR BUSINESS

For additional information regarding your escrow analysis, or any other account details, call 1.800.669.5224, Monday-Friday 7a.m. - 7p.m. Local Time. The address for general inquiries and all RESPA Qualified Written Requests is: Bank of America, N.A., Attn: Customer Service CA6-919-01-41, PO Box 5170, Simi Valley, CA 93062-5170.





## ESCROW ACCOUNT REVIEW

### ESCROW EXPLAINED

This escrow statement is being sent for **informational purposes only**. It should not be construed as an attempt to collect a debt or to modify the terms of your chapter 13 plan. Note that your chapter 13 bankruptcy plan may provide for the Trustee to pay escrow amounts outstanding on your loan as of the date you filed your bankruptcy case or may otherwise provide for the Trustee to pay amounts due to escrow. Part of your monthly loan payment goes into an account to pay for your property taxes and insurance premiums. During the year, payments are made out of this account when tax or insurance bills come due. This notice describes any changes needed in your monthly payment to maintain enough money in your escrow account to pay these bills. In our step-by-step analysis, we determine the data shown below to calculate your new escrow payment.

**If this is your first escrow statement after filing your chapter 13 bankruptcy**, this escrow account review was performed as of the date that you filed for bankruptcy and your new monthly escrow payment has been calculated in accordance with applicable bankruptcy law. If you previously received a monthly coupon that conflicts with the information shown below, the amount shown below is the updated and correct amount due to escrow. The prior monthly coupon from Bank of America, N.A. was prepared and sent before we had notice of your chapter 13 bankruptcy filing.

**If this is an annual escrow statement provided during your chapter 13 bankruptcy**, we have prepared this escrow statement to track your escrow obligations during the period when you are making payments under the terms of your chapter 13 plan.

**If you have filed a chapter 13 plan that provides for maintaining your home**, our step-by-step analysis is based on the assumption that you will be making your chapter 13 plan payments, including plan payments to cure amounts due from the period before your bankruptcy filing or otherwise due under your chapter 13 plan. If you are unable to complete your plan payments and your case is dismissed, converted to a chapter 7, or the automatic stay is lifted, then your monthly escrow payment will need to be recalculated to account for the cure amounts still due from the period before your bankruptcy filing or otherwise due under your chapter 13 plan.

See below for:

- an in-depth explanation of each step of your escrow analysis
- side-by-side comparison of last year's projected and actual data

### SUMMARY

Base amount needed (see Step 1)	The expected monthly amount needed to pay your property taxes and insurance premiums	\$184.89
Shortage payment (see Step 2)	The monthly amount you must pay into your escrow account to keep the balance from falling below zero during the year	\$811.12
Reserve requirement (see Step 3)	The monthly amount allowed by federal law for unexpected tax and insurance increases and other costs	\$30.69
<b>New monthly escrow payment (see Step 4)</b>		<b>\$1,026.70</b>
<b>New monthly home loan payment effective 10/2012 (see Step 4)</b>		<b>\$2,087.36</b>

### HOW WE CALCULATE YOUR ESCROW PAYMENT

#### STEP 1

##### Determine base amount needed for the year

Escrow items	Amount needed	Frequency in months	Monthly amount needed
City taxes	\$495.50	12	\$41.29
City taxes	1,723.16	12	143.60
<b>Total monthly base payment amount</b>			<b>\$184.89</b>

#### STEP 2

##### Determine lowest projected balance

In the chart located below, we project the amounts you will pay into your escrow account next year and the amounts we will pay out for your insurance and tax bills. Remember, these figures are only projections and may not reflect the actual payments made at the time they are due.

Month	Escrow deposit(s)	Tax payment(s)	Insurance payment(s)	MIP/PMI payment(s)	Balance
<b>Post-Petition Beginning balance</b>					<b>-\$9,363.64</b>

We may charge you a fee for any payment returned or rejected by your financial institution, subject to applicable law.

#### You can make your payment:

- By automatic draft payment using PayPlan
- Online at [www.bankofamerica.com](http://www.bankofamerica.com)
- By phone - call 1.800.669.6607
- At any Bank of America Banking Center
- By mail using the enclosed envelope
  - Make your check payable to Bank of America, N.A.
  - Please write your loan number on the check or money order
  - Include this payment coupon with your check (do not staple your check to the coupon)
  - Please do not send cash or include correspondence

Loan Number **XXXXX2584**  
Mark A Hatt  
1554 Mill  
Lincoln Park, MI 48146

(4)

Escrow shortage due: **Oct 1, 2012****\$9,733.40**

Bank of America, N.A.  
PO BOX 15222  
WILMINGTON, DE 19886-5222



N/A	
N/A	
Total amount enclosed	



**STEP 2****Determine lowest projected balance - Continued**

Month	Escrow deposit(s)	Tax payment(s)	Insurance payment(s)	MIP/PMI payment(s)	Balance
October 2012	184.89				-9,178.75
November 2012	184.89				-8,993.86
December 2012	184.89	495.50			-9,304.47
January 2013	184.89				-9,119.58
February 2013	184.89				-8,934.69
March 2013	184.89				-8,749.80
April 2013	184.89				-8,564.91
May 2013	184.89				-8,380.02
June 2013	184.89				-8,195.13
July 2013	184.89	1,723.16			-9,733.40 *
August 2013	184.89				-9,548.51
September 2013	184.89				-9,363.62
<b>Post-Petition Ending balance</b>					<b>-\$9,363.62</b>
<b>Lowest projected balance</b>					<b>-\$9,733.40</b>
<b>Shortage payment amount</b>					<b>\$811.12</b>

The Post-Petition Beginning and Ending balances above are projected balances, which assume that all payments due under your chapter 13 bankruptcy plan will be made, including your regularly scheduled mortgage payments due after the bankruptcy filing and all plan payments to cure amounts due from the period before your bankruptcy filing or otherwise due under your chapter 13 plan.

You, of course, have the option to pay your anticipated shortage in full. (See Step 4 for more information.)

**STEP 3****Determine reserve requirement**

Federal law allows for the collection of a reserve amount to maintain a cushion for unexpected tax and/or insurance increases and other costs. The reserve used for this period is shown below.

Lowest projected balance (see step 2 above)	-\$9,733.40	
Total reserve requirement (16.6% of the base amount) *	368.30	
Additional amounts required	368.30	
<b>Monthly reserve requirement (\$368.30 divided by 12)</b>		<b>\$30.69</b>
<b>Potential overage</b>	<b>\$0.00</b>	

\* Base amount equals the total of payments anticipated to be paid out of the escrow account during the year but excludes Private Mortgage Insurance (PMI) or MIP amounts.

**STEP 4****Determine monthly payments****Calculation of monthly escrow payments**

Base amount needed for taxes and/or insurance (see Step 1)	\$184.89	
Shortage payment (see Step 2)	811.12	
Reserve requirement (see Step 3)	30.69	
<b>Total monthly escrow payment</b>		<b>\$1,026.70</b>

**Calculation of monthly home loan payment**

Principal and/or interest	\$1,060.66	
Total monthly escrow payment	1,026.70	
<b>Total monthly home loan payment effective 10/2012</b>		<b>\$2,087.36</b>

**If you choose to pay your shortage in full, your payment will be reduced by the shortage amount of \$811.12, leaving you with a payment of \$1,276.24.**



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**LAST YEAR  
IN REVIEW**
**Current analysis compared to previous**
**Monthly**

<i>Amount needed for taxes and insurance</i>	<i>Last analysis</i>	<i>This analysis</i>
City taxes	\$42.42	\$41.29
City taxes	163.00	143.60
Total base escrow payment	\$205.42	\$184.89
Shortage payment	256.74	811.12
Reserve requirement	34.10	30.69
Rounding amount	.00	.00
<b>Monthly escrow payment</b>	<b>\$496.26</b>	<b>\$1,026.70</b>
Principal and/or interest	\$1,060.66	\$1,060.66
Monthly escrow payment	496.26	1,026.70
<b>Total payment amount</b>	<b>\$1,556.92</b>	<b>\$2,087.36</b>

**Summary of escrow change**

As shown, your base escrow amount decreased. Your reserve percentage remained unchanged. Your reserve payment decreased. The result of these factors caused your total escrow payment to increase. Additionally, you were left with a shortage.

A side-by-side comparison of last year's projected escrow account activity and actual activity can be found below.

**Last year's escrow payments**

If you have recently filed a chapter 13 bankruptcy, then we have provided below a side-by-side comparison of your prior projected escrow account activity to the actual account activity.

If this is an annual escrow statement provided during your chapter 13 bankruptcy, then the projected escrow account activity below was performed in accordance with the terms of your chapter 13 plan. At the same time, we also maintained a separate accounting that reflected your escrow account activity as would be provided under the terms of your loan documents outside of bankruptcy (shown below under the heading "Actual"). The Actual escrow activity includes both the receipt of your regular monthly mortgage payments to escrow and any cure payments made under the terms of your chapter 13 plan for escrow amounts due from the period before your bankruptcy filing or otherwise due under your chapter 13 plan. Below is the side-by-side comparison of the plan projected activity to the actual activity for last year. Upon the completion of your chapter 13 plan, if all payments due under the chapter 13 plan are received and taxes and insurance were paid in the amounts anticipated then the projected and actual ending balances should match. If you are unable to complete your chapter 13 plan payments and your case is dismissed, converted to a chapter 7, or the automatic stay is lifted, then the actual accounting shown below will be used in performing your next escrow analysis.

<b>Projected</b>					<b>Actual</b>				
<i>Date</i>	<i>Activity</i>	<i>Paid In</i>	<i>Paid Out</i>	<i>Balance</i>	<i>Date</i>	<i>Activity</i>	<i>Paid In</i>	<i>Paid Out</i>	<i>Balance</i>
	<b>Beginning balance</b>			<b>-\$7,145.09</b>		<b>Beginning balance</b>			<b>-\$7,145.28</b>
	Esc/Refund	4,680.38		-2,464.71	12/08/2011	City tax pmt		495.50	-7,640.78
11/01/2011	Nov Payment	496.26		-1,968.45	02/09/2012	Payment reversal	-.01		-7,640.79
12/01/2011	Dec Payment	496.26		-1,472.19	02/09/2012	Payment reversal	-.01		-7,640.80
12/02/2011	City taxes		509.06	-1,981.25 *	02/09/2012	Payment reversal	-.01		-7,640.81
01/01/2012	Jan Payment	496.26		-1,484.99	02/09/2012	Payment reversal	-.01		-7,640.82
02/01/2012	Feb Payment	496.26		-988.73	02/09/2012	Payment reversal	-.01		-7,640.83
03/01/2012	Mar Payment	496.26		-492.47	02/09/2012	Payment reversal	-.01		-7,640.84
04/01/2012	Apr Payment	496.26		3.79	02/09/2012	Payment reversal	-.01		-7,640.85
05/01/2012	May Payment	496.26		500.05	02/09/2012	Payment reversal	-.01		-7,640.86
06/01/2012	Jun Payment	496.26		996.31	02/09/2012	Payment reversal	-.01		-7,640.87
07/01/2012	Jul Payment	496.26		1,492.57	02/09/2012	Payment reversal	-.01		-7,640.88
07/02/2012	City taxes		1,955.94	-463.37	02/17/2012	Jun Payment	.01		-7,640.87
08/01/2012	Aug Payment	496.26		32.89	02/17/2012	Jul Payment	.01		-7,640.86
09/01/2012	Sep Payment	496.26		529.15	02/17/2012	Aug Payment	.01		-7,640.85
10/01/2012	Oct Payment	496.26		1,025.41	02/17/2012	Sep Payment	.01		-7,640.84
	<b>Ending balance</b>			<b>\$1,025.41</b>	02/17/2012	Oct Payment	.01		-7,640.83
					02/17/2012	Nov Payment	.01		-7,640.82
					02/17/2012	Dec Payment	.01		-7,640.81
					02/17/2012	Jan Payment	.01		-7,640.80
					02/17/2012	Feb Payment	.01		-7,640.79
					02/17/2012	Mar Payment	.01		-7,640.78
					02/17/2012	Apr Payment	.01		-7,640.77
					02/17/2012	May Payment	.01		-7,640.76
					04/12/2012	Jun Payment	.01		-7,640.75
					04/12/2012	Jul Payment	.01		-7,640.74
					07/06/2012	City tax pmt		1,723.16	-9,363.90 *
					08/22/2012	Aug Payment	.01		-9,363.89 P
					08/22/2012	Sep Payment	.01		-9,363.88 P
						<b>Ending balance</b>			<b>-\$9,363.88</b>

\* Lowest projected balance

P - The letter (P) beside an amount indicates that the payment or disbursement has not yet occurred but is estimated to occur as shown.

In performing the projection above, Bank of America, N.A. assumed that all regularly scheduled mortgage payments would be made that were due prior to the projection period.

